

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

VICTOR IRVING JARVIS,)
)
Plaintiff,)
)
vs.) 1:10cv896
)
BANK OF AMERICA CORPORATION,)
)
Defendant.)

ORDER

On December 17, 2012, the United States Magistrate Judge's Recommendation was filed, and notice was served on the parties pursuant to 28 U.S.C. § 636. Plaintiff filed objections within the time permitted by section 636 (Doc. 36), and Defendant filed a response (Doc. 39).

The court has reviewed those portions of the Magistrate Judge's Recommendation to which Plaintiff has objected and made a de novo determination. To the extent Plaintiff has raised new evidence in his objections, the court declines to consider it. 28 U.S.C. § 636(b)(1). The court's review is in accord with the Magistrate Judge's Recommendation, which is therefore adopted.

IT IS THEREFORE ORDERED that Defendant's motion for summary judgment (Doc. 19) is GRANTED and that this action is DISMISSED WITH PREJUDICE.

A Judgment dismissing this action will be entered contemporaneously with this Order.

/s/ Thomas D. Schroeder
United States District Judge

January 31, 2013